



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/892,727	06/27/2001	Scott Swix	60027.0018US01/BS01040

23552  
 MERCHANT & GOULD PC  
 P.O. BOX 2903  
 MINNEAPOLIS, MN 55402-0903



CONFIRMATION NO. 4789

## FORMALITIES LETTER



\*OC00000006428901\*

Date Mailed: 08/15/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 840.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

710.00 0P  
130.00 0P

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09/05/2001 MANNED1

01 FC:101  
02 FC:105

S/N 09/892,727



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Swix et al.

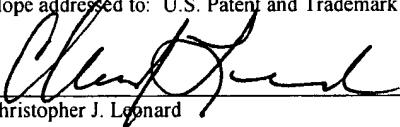
Docket: 60027.0018US01/BS01040

Serial No.: 09/892,727

Filed: June 27, 2001

Title: Remote Diagnostic Tool for a Media Delivery Network

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited via First Class Mail in an envelope addressed to: U.S. Patent and Trademark Office, Washington, D.C. 20231, on Aug 29, 2001.

By:   
Christopher J. Leonard

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Dear Sir:

Enclosed is a photocopy of the filing receipt from the United States Patent and Trademark Office in the above-identified application showing requested corrections. The filing receipt indicates one of the inventors' names as Thomas P. Watson. The correct name of the inventor is P. Thomas Watson. A Response to Notice to File Missing Parts of Nonprovisional Application is filed along with this Request which contains an executed Declaration and Power of Attorney from Mr. Watson indicating his correct name.

Correction of the records of the United States Patent and Trademark Office and issuance of a corrected filing receipt are respectfully solicited.

Respectfully submitted,

MERCHANT & GOULD



Christopher J. Leonard  
Reg. No. 41,940

Merchant & Gould, LLC  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
Telephone: 404.954.5100





# UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/892,727	06/27/2001	2184	0.00	60027.0018US01/BS01040	4	20	3

23552 CL  
 MERCHANT & GOULD PC  
 P.O. BOX 2903  
 MINNEAPOLIS, MN 55402-0903



CONFIRMATION NO. 4789

FILING RECEIPT



\*OC000000006428900\*

Date Mailed: 08/15/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

### Applicant(s)

Scott Swix, Duluth, GA;  
 Thomas P. Watson, Alpharetta, GA;  
 Randy S. Zimler, Gainesville, GA;  
 James Gray, Atlanta, GA;  
 Timothy H. Weaver, Alpharetta, GA;

### Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/281,206 04/02/2001

### Foreign Applications

If Required, Foreign Filing License Granted 08/15/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

### Title

Remote diagnostic tool for a media delivery network

### Preliminary Class

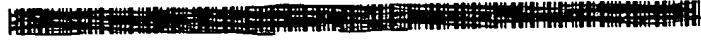
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**Data entry by :** KIM, JONATHAN

**Team :** OIPE

**Date:** 08/15/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

*rec*  
S/N 09/892,727



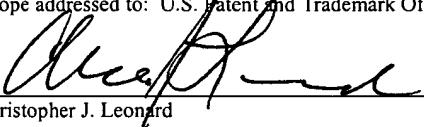
*Sector*  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Swix et al. Docket: 60027.0018US01/BS01040  
Serial No.: 09/892,727  
Filed: June 27, 2001  
Title: Remote Diagnostic Tool for a Media Delivery Network  
Due Date: October 15, 2001

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited via First Class Mail in an envelope addressed to: U.S. Patent and Trademark Office, Washington, D.C. 20231, on Aug. 29, 2001.

By:   
Christopher J. Leonard

RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION

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Assistant Commissioner of Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application mailed August 15, 2001, Applicants enclose herewith:

1. an executed Declaration and Power of Attorney;
2. an executed Assignment and Assignment Recordal Sheet;
3. Two checks; one in the amount of \$840 to cover the governmental filing fee and surcharge, and one in the amount of \$40 to cover the Assignment Recordal Fee; and
4. a duplicate copy of the Notice to File Missing Parts of Nonprovisional Application.

The filing fee is calculated as follows:

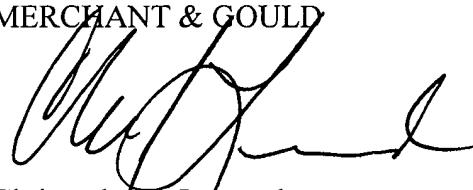
Number of Claims Filed	In Excess of:	Number Extra	Rate	Fee
<b>Basic Filing Fee</b>				<b>\$710.00</b>
<b>Total Claims</b>				
20	-	20	= 0 x 18.00	= \$0.00
<b>Independent Claims</b>				
3	-	3	= 0 x 80.00	= \$0.00
<b>MULTIPLE DEPENDENT CLAIM FEE</b>				<b>\$0.00</b>
<b>SURCHARGE</b>				<b>\$130.00</b>
<b>TOTAL FILING FEE</b>				<b>\$840.00</b>

Applicant believes that the submission of these papers complete the filing of all necessary papers and respectfully requests that the referenced application be passed along for examination.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD



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